



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,530	12/22/2000	Osamu Sakai	9281/3898	4153

757 7590 03/13/2002

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER

PITTMAN, ZIDIA T

ART UNIT	PAPER NUMBER
----------	--------------

1725

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,530

Applicant(s)

SAKAI ET AL.

Examiner

Zidia Pittman

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-8, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/173,532.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: The specification refers to repairing a "defective" on several pages and lines (i.e. page 6 lines 19 and 20). The examiner assumes that this is a typographical error, as it would be appropriate to refer to a "defective portion" or a "defect".

Appropriate correction is required.

Claim Objections

Claims 5-8, 14, and 15 are objected to because of the following informalities: Claim 5 recites the limitation "..... organic compound to a *defective*.." in line 3. The examiner assumes that this is a typographical error, as it would be appropriate to refer to a "defective portion" or a "defect". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5-8, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Addiego et al (USPN 5,164,565).

Addiego et al teaches laser-based system for material deposition and removal including applying a metallo-organic compound to a defective portion, heating the compound with a laser, provisionally and mainly baking the metallo-organic compound,

Art Unit: 1725

and removing an unwanted portion from the substrate. (abstract; column 7 line 48 – column 9 line 43).

Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hongo et al (USPN 4,609,566).

Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Chalco et al (USPN 5,079,070).

Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujitsu Ltd (JP 04-243231).

Hongo et al, Chalco et al, Fujitsu Ltd each teach a method of repairing including applying a metallic organic compound and heating with a laser. [(Hongo et al: abstract ; column 2 line 63 – column 3 line 16; column 4 line 20 – column 5 lines 42), Chalco et al: abstract; column 2 line 62 – column 3 line 28; column 3 line 62 – column 4 line 47), (Fujitsu Ltd: abstract; constitution)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grenon et al (USPN 6,145,649), Kim et al (USPN 6,143,095), Saruta et al (USPN 6,035,526), Maruyama et al (USPN 5,883,437), Kobayashi (USPN 5,872,610), Hashimoto et al (USPN 5,318,869), and Mori et al (USPN 5,821,627) are cited as of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zidia Pittman whose telephone number is (703) 305-

Art Unit: 1725

1248. The examiner can normally be reached on Monday – Thursday and alternate Fridays from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn, can be reached at (703) 308-3318. The official fax phone number for the organization where this application or proceeding is assigned is (703) 305-7718. The unofficial fax number for art unit 1725 is (703) 305-6078.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

378

3/2/02

Tom Dunn
SUPERVISOR
TELEPHONE: (703) 308-3318